

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

APPLICATION FOR ENTRY OF DEFAULT

COMES NOW the plaintiff State of New Mexico, *ex. rel.* State Engineer, and requests the Clerk of the Court, pursuant to F. R. Civ. P. 55(a) to enter the default of the following named defendants and each of them for failure to answer or otherwise plead; and the undersigned certifies that no answer, appearance, or other pleading has been served upon plaintiff's attorneys.

<u>Defendant</u>	<u>Subfile No.</u>	<u>proof of service filed</u>
David Maestas	CHRB-006-0027	October 31, 2007 (Doc. 8979)
Roberto Martinez	CHRB-004-0042	October 31, 2007 (Doc. 8979)
Luis Lopez	CHCV-002-0039D	October 31, 2007 (Doc. 8979)
Maximiliano Rivas	CHCV-002-0039C	August 7, 2007 (Doc. 8749)

<u>Defendant</u>	<u>Subfile No.</u>	<u>waiver of service of summons filed</u>
Dr. Pat Hale	CHCV-003-0005A CHCV-003-0005B	January 28, 2004 (Doc. 7398)

Dated: November 16, 2007

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16 day of November, 2007 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

David Maestas
P.O. Box 224
Tierra Amarilla, NM 87575

Roberto Martinez
P.O. Box 271
Tierra Amarilla, NM 87575

Luis Lopez
P.O. Box 182
Chama, NM 87520

Maxililiano Rivas
P.O. Box 634
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Dr. Pat Hale
7100 Manual NE
Albuquerque, NM 87110

/s/ Ed Newville

EDWARD G. NEWVILLE